

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA**

NAUTILUS INSURANCE COMPANY,

Plaintiff,

v.

RICHARD ALEXANDER MURDAUGH, Sr.,  
CORY FLEMING, MOSS & KUHN, P.A.,  
CHAD WESTENDORF, and PALMETTO  
STATE BANK,

Defendants.

Case No. 2:22-cv-1307-RMG

**MOTION REGARDING DEPOSITION  
OF RUSSELL L. LAFFITTE**

Nautilus Insurance Company (“Nautilus”) moves this Court for instruction regarding the deposition of Russell L. Laffitte scheduled for this Friday, March 8, 2024.

Nautilus anticipates that Mr. Laffitte may seek to invoke the Fifth Amendment<sup>1</sup> protections against self-incrimination in the course of the deposition. However, having testified previously in court proceedings without invoking the protections of the Fifth Amendment, including his recent criminal trial before this Court, those protections may have been waived as to the subject matter of the deposition.

In the event a dispute—about the applicability of the Fifth Amendment or other issue pertaining to the evidence sought during the deposition—should arise during Mr. Laffitte’s deposition, Nautilus would seek a swift ruling from the Court, preferably during the deposition given the complexities associated with arranging the deposition of a federal prisoner. Accordingly, Nautilus now respectfully requests guidance from the Court regarding (i) whether a mechanism exists by which a ruling may be obtained during the deposition if necessary, and (ii) if so, what the proper procedure would be for bringing any such issue before the Court.

**[signature on following page]**

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<sup>1</sup> U.S. Const. amend. V

**Respectfully submitted:**

**EPTING & RANNIK, LLC**

This 5<sup>th</sup> day of March, 2024  
Charleston, South Carolina

/s/ Jaan Rannik  
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*COUNSEL FOR NAUTILUS INSURANCE COMPANY*